Amendments to the Drawings

Applicant forwards for approval by the Examiner two (2) Replacement Sheets of drawings. These Replacement Sheets include the following corrections as requested by the Examiner:

Fig. 10 has been amended for clarity by adding reference numerals and leader lines for reference numerals 11a, 11b, 30a and 30b. Axes G1 and G2 have been labeled.

Fig. 11 has been amended in response to the examiner's objection so to correct the orientation of rotor 11b to correspond to the rotor orientation of figures 9 and 10. Support for this is found in the application, including the following description at page 9: "Figures 9, 10 and 11 show front, plan and side views of a third embodiment of a convertiplane in accordance with the invention;".

Attachments: 2 Replacement Sheets of Drawings

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<u>REMARKS</u>

In the Official Action mailed 12 November 2008, the Examiner objected to the drawings. The Examiner reviewed claims 1-65. Claims 1-45 were previously canceled in the responses to restriction requirement. Claims 51, 56, 59-61 and 63 are withdrawn from consideration. The Examiner has rejected claims 62 and 53 under 35 U.S.C. §112; has rejected claims 46-48, 50, 52-55, 58, 62, and 64-65 under 35 U.S.C. §103(a); and has objected to claim 49.

Applicant notes with appreciation the indication that claim 49 would be allowable if placed in independent form.

Applicant has amended claims 46, 51, 53, 56, 59 and 62, canceled claims 49 and 64, and added claim 66.

Claims 46-48, 50-63 and 65-66 remain pending.

Objection to the Drawings

The Examiner has objected to the drawings under 37 C.F.R. §1.83(a) because they fail to show the shape of the underside of the aircraft as in claim 64. **Claim 64** has been canceled to obviate this objection.

The drawings have been objected to on the basis that the orientation of the rotor axes in Fig. 9 and 11 appears inconsistent. **Fig. 11** has been amended to correct the orientation of rotor 11b to correspond to the rotor orientation of figures 9 and 10. Support for this is found in the application, including the following description at page 9: "Figures 9, 10 and 11 show front, plan and side views of a third embodiment of a convertiplane in accordance with the invention;".

Rejection of Claims 62 and 53 under 35 U.S.C. §112

The Examiner has rejected claims 62 and 53 under 35 U.S.C. §112 for insufficient antecedent basis for limitations in the claims. Claim 62 has been amended to correct the dependency. Claim 53 has been amended to provide the required antecedent basis.

Accordingly, reconsideration of the rejection of claims 62 and 53 as amended is respectfully requested.

Rejection of Claims 46-48, 50, 52-55, 58, 62, and 64-65 under 35 U.S.C. §103(a)

The Examiner has rejected claims 46-48, 50, 52-55, 58, 62, and 64-65 under 35 U.S.C. §103(a) as being unpatentable over Pancotti (U.S. Pat. No. 6,367,736) in view of Sambell (U.S. Pat. No. 5,085,315).

Allowable claim 49

Independent Claim 46 has been amended to incorporate the substance of claim 49 so that claim 46 and the claims depending therefrom are allowable.

Independent claim 59 has also been amended to incorporate the substance of claim 49 so that claim 59 and the claims depending therefrom are also allowable. Amendments have also been made to claim 59 to provide antecedent basis for elements of claims 59 and 60.

CONCLUSION

In light of the above Remarks and the amendment to the claims, applicant submits that the application is in condition for allowance and action to that end is urged. If the Examiner believes a telephone conference would aid prosecution of this case in any way, please call the undersigned at (650) 712-0340.

The Commissioner is hereby authorized to charge any additional fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (MATH 1001-1).

Respectfully submitted,

Dated: 10 March 2009   /James F. Hann/

                                              James F. Hann, Reg. No. 29,719

HAYNES BEFFEL & WOLFELD LLP
P.O. Box 366
Half Moon Bay, CA 94019
(650) 712-0340 phone
(650) 712-0263 fax